



Rep. William Davis

**Filed: 4/12/2013**

09800HB2660ham002

LRB098 07820 NHT 44475 a

1 AMENDMENT TO HOUSE BILL 2660

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2660, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The School Code is amended by changing Section  
6 27A-11 as follows:

7 (105 ILCS 5/27A-11)

8 Sec. 27A-11. Local financing.

9 (a) For purposes of the School Code, pupils enrolled in a  
10 charter school shall be included in the pupil enrollment of the  
11 school district within which the pupil resides. Each charter  
12 school (i) shall determine the school district in which each  
13 pupil who is enrolled in the charter school resides, (ii) shall  
14 report the aggregate number of pupils resident of a school  
15 district who are enrolled in the charter school to the school  
16 district in which those pupils reside, and (iii) shall maintain

1 accurate records of daily attendance that shall be deemed  
2 sufficient to file claims under Section 18-8 notwithstanding  
3 any other requirements of that Section regarding hours of  
4 instruction and teacher certification.

5 (b) Except for a charter school established by referendum  
6 under Section 27A-6.5, as part of a charter school contract,  
7 the charter school and the local school board shall agree on  
8 funding and any services to be provided by the school district  
9 to the charter school. Agreed funding that a charter school is  
10 to receive from the local school board for a school year shall  
11 be paid in equal quarterly installments with the payment of the  
12 installment for the first quarter being made not later than  
13 July 1, unless the charter establishes a different payment  
14 schedule.

15 All services centrally or otherwise provided by the school  
16 district including, but not limited to, rent, food services,  
17 custodial services, maintenance, curriculum, media services,  
18 libraries, transportation, and warehousing shall be subject to  
19 negotiation between a charter school and the local school board  
20 and paid for out of the revenues negotiated pursuant to this  
21 subsection (b); provided that the local school board shall not  
22 attempt, by negotiation or otherwise, to obligate a charter  
23 school to provide pupil transportation for pupils for whom a  
24 district is not required to provide transportation under the  
25 criteria set forth in subsection (a) (13) of Section 27A-7.

26 In no event shall the funding be less than 75% or more than

1 125% of the school district's per capita student tuition  
2 multiplied by the number of students residing in the district  
3 who are enrolled in the charter school. For charter schools  
4 authorized by the Commission, if, for a given school year, the  
5 State is paying less than the full claim amount calculated  
6 under Section 18-8.05 of this Code, then the payment to the  
7 charter school shall be made in an amount equal to the per  
8 capita student tuition amount less the Foundation Level amount,  
9 as defined in Section 18-8.05 of this Code, plus the Foundation  
10 Level amount multiplied by the percentage of the claim under  
11 Section 18-8.05 of this Code paid for that school year, as  
12 certified by the State Board of Education.

13 It is the intent of the General Assembly that funding and  
14 service agreements under this subsection (b) shall be neither a  
15 financial incentive nor a financial disincentive to the  
16 establishment of a charter school.

17 The charter school may set and collect reasonable fees.  
18 Fees collected from students enrolled at a charter school shall  
19 be retained by the charter school.

20 (c) Notwithstanding subsection (b) of this Section, the  
21 proportionate share of State and federal resources generated by  
22 students with disabilities or staff serving them shall be  
23 directed to charter schools enrolling those students by their  
24 school districts or administrative units. The proportionate  
25 share of moneys generated under other federal or State  
26 categorical aid programs shall be directed to charter schools

1 serving students eligible for that aid.

2 (d) The governing body of a charter school is authorized to  
3 accept gifts, donations, or grants of any kind made to the  
4 charter school and to expend or use gifts, donations, or grants  
5 in accordance with the conditions prescribed by the donor;  
6 however, a gift, donation, or grant may not be accepted by the  
7 governing body if it is subject to any condition contrary to  
8 applicable law or contrary to the terms of the contract between  
9 the charter school and the local school board. Charter schools  
10 shall be encouraged to solicit and utilize community volunteer  
11 speakers and other instructional resources when providing  
12 instruction on the Holocaust and other historical events.

13 (e) (Blank).

14 (f) The State Board shall provide technical assistance to  
15 persons and groups preparing or revising charter applications.

16 (g) At the non-renewal or revocation of its charter, each  
17 charter school shall refund to the local board of education all  
18 unspent funds.

19 (h) A charter school is authorized to incur temporary,  
20 short term debt to pay operating expenses in anticipation of  
21 receipt of funds from the local school board.

22 (Source: P.A. 90-548, eff. 1-1-98; 90-757, eff. 8-14-98;  
23 91-407, eff. 8-3-99.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law."